

AMENDED IN ASSEMBLY JUNE 28, 2007

AMENDED IN SENATE MARCH 28, 2007

SENATE BILL

No. 134

Introduced by Senator Cedillo

January 25, 2007

An act to amend Section 31663.1 of the Government Code, relating to county employees' retirement.

LEGISLATIVE COUNSEL'S DIGEST

SB 134, as amended, Cedillo. County employees' retirement: mandatory retirement.

The County Employees Retirement Law of 1937 provides a comprehensive set of rights and benefits for county and district employees who are members of a retirement system subject to that law. That law permits a county to require sheriffs, undersheriffs, and marshals who are safety members to be retired at 60 years of age or 70 years of age.

This bill would, upon approval *of a resolution* by the board of supervisors in Los Angeles County, make that requirement inapplicable to specified safety members in that county if a physician employed by the county certifies that the safety member is capable of performing his or her assigned duties pursuant to standards set forth *either* by his or her employer, *or, for a safety member who is assigned to active fire suppression, by a physical fitness test prescribed in an implemented departmental wellness/fitness for life program that is completed by the safety member.* The bill would provide that the resolution of the board of supervisors may designate a date, which may be prior to the date of the resolution, upon which the resolution and these provisions shall be operative in Los Angeles County.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 31663.1 of the Government Code is
2 amended to read:
3 31663.1. (a) Sections 31662.4, 31662.6, 31662.8, and 31663
4 shall not apply to a person who is an active safety member
5 described in Section 31469.3 ~~and who is also a peace officer as~~
6 ~~described in Section 830.1 of the Penal Code~~, if a physician
7 employed by the county certifies that the safety member is capable
8 of performing his or her assigned duties pursuant to standards set
9 forth *either* by the member's employer *or, for a safety member*
10 *described in Section 31470.4, by a physical fitness test prescribed*
11 *in an implemented departmental wellness/fitness for life program*
12 *that is completed by the safety member.*
13 (b) This section applies only to a county of the first class, as
14 defined by Section 28020, as amended by Chapter 1204 of the
15 Statutes of 1971, and Section 28022, as amended by Chapter 43
16 of the Statutes of 1961.
17 (c) This section shall not be operative in any county until the
18 board of supervisors shall, by resolution adopted by a majority
19 vote, make this section applicable in the county. *The resolution of*
20 *the board of supervisors may designate a date, which may be prior*
21 *to the date of the resolution, upon which the resolution and this*
22 *section shall be operative in the county.*

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